

Exhibit 4

From: [Calabrese, Christine](#)
To: [Rahul Srinivas](#); [Tsekerides, Theodore](#); [Perez, Alfredo](#); [Carlson, Clifford](#); [Crabtree, Austin](#); [Aquila, Elaina](#); [Delaune, Krystel](#); [Menon, Asha](#)
Cc: [Greg Wolfe](#); [Matt Gauthier](#); [Harper, Ashley](#); [Davidson, Tad](#); [Bell, Brandon](#)
Subject: RE: Sphere 3D- Deposition Schedule
Date: Monday, November 13, 2023 9:33:36 AM

Rahul,

If you have a revised schedule in mind, please propose something for our review. We agree that there is a little more leeway on the deadline to complete depositions and would agree to extend that to December 22.

Core's witnesses are available as follows:

- Mike Levitt is available to be deposed at Weil's NY office on November 29.
- Todd DuChene is available to be deposed at Weil's NY office the week of December 11.
- Russell Cann is available to be deposed at Weil's NY office the week of December 11 (except not December 13).
- Kevin Coker is based in Texas. We are finalizing dates for his availability to be deposed at Weil's HO office.
- Jeff Pratt and Monica Xia are both based in Seattle and are available to be deposed there on December 4 and 5.

On Sphere's witnesses:

- We will agree to depose Mr. Tassiopoulos in New York on December 1.
- We will agree to depose Mr. Kalbfleisch in New York on December 7.
- You had proposed that Ms. Trompeter sit for a deposition during the week of December 11. If the deposition schedule extends a week, we suggest taking Ms. Trompeter's deposition in New York the week of December 18.
- Please provide dates in the last week of November or early December when Mr. Tierney is available to be deposed in New York.

On the Gryphon deposition, we agree that each side shall have 3.5 hours on the record with Mr. Chang.

Christine Calabrese

Weil, Gotshal & Manges LLP
+ 1 212 310-8083 Direct
+1 202 213-7892 Mobile

From: Rahul Srinivas <rsrinivas@dnfllp.com>

Sent: Thursday, November 9, 2023 3:59 PM

To: Tsekerides, Theodore <theodore.tsekerides@weil.com>; Perez, Alfredo <alfredo.perez@weil.com>; Carlson, Clifford <Clifford.Carlson@weil.com>; Calabrese, Christine <Christine.Calabrese@weil.com>; Crabtree, Austin <Austin.Crabtree@weil.com>; Aquila, Elaina <Elaina.Aquila@weil.com>; Delauney, Krystal <Krystal.Delauney@weil.com>; Menon, Asha <Asha.Menon@weil.com>

Cc: Greg Wolfe <greg@dnfllp.com>; Matt Gauthier <mgauthier@dnfllp.com>; Harper, Ashley <AshleyHarper@andrewskurth.com>; Davidson, Tad <TadDavidson@andrewskurth.com>; Bell, Brandon <BBell@hunton.com>

Subject: Sphere 3D- Deposition Schedule

Christine –

I am writing, as we have yet to nail down some of the specifics on depositions and calendaring.

First, we still need to enter a new schedule. Given that trial has been moved to Jan 30 and the parties are not filing motions for summary judgment, there is time to build in for depositions in late December if needed.

Second, please let us know the availability of your witnesses, as we still do not have that information and need it for planning purposes.

Third, as for the Gryphon deposition, we propose splitting the time (3.5 hours per side).

Finally, as far as our witnesses:

- Alex Tierney lives in Stamford
- Our position is that any in person deposition of Kurt Kalbfleisch should take place on December 7 in New York, when he will be here anyway. It makes no sense to have the parties fly out to California for an in-person deposition.

Rahul Srinivas*

Dontzin Nagy & Fleissig LLP
980 Madison Avenue
New York, NY 10075
(212) 717-2900
rsrinivas@dnfllp.com

*Not yet admitted to practice in New York

The information contained in this email message is intended only for use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by email, postmaster@weil.com, and destroy the original message. Thank you.